IN THE HIGH COURT OF GUJARAT AT AHMEDABAD

SPECIAL CIVIL APPLICATION No. 4172 of 1995

For Approval and Signature:

HONOURABLE MR.JUSTICE R.S.GARG

HONOURABLE MR.JUSTICE M.R. SHAH

==========

1 Whether Reporters of Local Papers may be allowed to see the judgment ?

2 To be referred to the Reporter or not ?

3 Whether their Lordships wish to see the fair copy of the judgment ?

4 Whether this case involves a substantial question of law as to the interpretation of the constitution of India, 1950 or any order made thereunder ?

5 Whether it is to be circulated to the civil judge ?

==========

BHANABHAI BHIKHABHAI HALPATI - Petitioner(s)
Versus
STATE OF GUJARAT & 2 - Respondent(s)

==========

Appearance :
MR SV PARMAR for Petitioner(s) : 1,
Mr. Dipen Desai, AGP for Respondent(s) : 1, 3,
Ms. Rupa Rane, for Respondent(s) : 2,

==========

CORAM : HONOURABLE MR.JUSTICE R.S.GARG
and
HONOURABLE MR.JUSTICE M.R. SHAH

Date : 12/07/2006

ORAL JUDGMENT

(Per : HONOURABLE MR.JUSTICE R.S.GARG)

Ms. Tanuja Kutchi, learned counsel appears and submits that Mr. SV Parmar, has requested her to make a submission for short adjournment/adjustment of the case. Shri Dipen Desai, learned Asst. Govt. Pleader and Ms. Rupa Rane, learned counsel for respondent No.2 submits that by the present writ application a Notification issued by Election Commissioner, laying down the programme for election of various Panchayats, is under challenge but since after 1995 at least two more elections have taken place which have made the writ application infructuous.

2. Taking into consideration the totality of the submission and that no useful purpose would be served by, keeping this petition alive or adjourning it as it has become infructuous, we dismiss it. Rule is discharged. No costs.

[R.S. Garg, J.]

RMR. *[M.R. Shah, J.]*